

<b>DECLARATION UNDER 37 C.F.R. §1.131</b>  Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Application Number	09/775,163
	Attorney Docket Number	10010011-1
	Filing Date	January 31, 2001
	First Named Inventor	Herbert F. Cattell
	Examiner	Lori Clow
	Group Art	1631
	Title	Reading Chemical Arrays

This Declaration and the attached Exhibit are being submitted in conjunction with the Applicants' Response to the Office Action dated March 7, 2005.

I, Herbert Cattell, do hereby declare as follows.

1. I am the inventor of the invention claimed in the above captioned application.
2. I have been asked to declare and provide factual evidence in support of conception of reading chemical arrays' design before November 2000.
3. As evidenced by Exhibit A, I conceived of the systems and methods for gene-based array design prior to November 2000. The dates have been redacted from Exhibit A. A redacted date showing an original prototype is prior to November 2000.
4. Exhibit A consists of a photocopy of the Invention Disclosure (total of 2 pages) in which details of the apparatus and the methods for reading an addressable array are described.
5. Pages 1 and 2 of Exhibit A are internal Invention Disclosure forms used by the Legal Department of Agilent Technologies. Section D, of Exhibit A, describes the details of the apparatus and methods for using the apparatus. In brief, an apparatus and method for reading an addressable array are set forth. This invention allows for the quick review of feature extraction results.

6. The evidence provided in Exhibit A establishes that I conceived the design for Reading Chemical Arrays prior to November 2000.
7. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Respectfully submitted,

Date: 5/25/2005

Herbert F. Cattell  
Herbert Cattell

Attachments: Exhibit A